IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 25TH JANUARY 2007 / 5TH MAGHA 1928

WP(C).No. 2950 of 2007(A)

PETITIONER:

CHEMBAN BEERAN HAJI, AGED 52 YEARS,
SON OF KUNJALI, RESIDING AT KIZHAUNGUM-
CHOLA HOUSE, CHERUKPUTHOOR P.O.
MONGAM, MALAPPURAM.

BY ADV. SRI.K.M.SATHYANATHA MENON

RESPONDENTS:

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1. MALAPPURAM DISTRICT CO-OPERATIVE BANK LTD.,
REP. BY ITS GENERAL MANAGER,
HEAD OFFICE, MALAPPURAM

2. THE MANAGER, MALAPPURAM DISTRICT CO-OPERATIVE
BANK LTD, MANJERI BRANCH, MANJERI,
MALAPPURAM

3. THE SPECIAL SALES OFFICER, MALAPPURAM-
DISTRICT CO-OPERATIVE BANK LTD, MALAPPURAM.

BY SRI.U.K.RAMAKRISHNAN, SC FOR R1

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.M.JAMES, J.

W.P.(C). 2950/2007 (A)

Dated this the 25th day of January, 2007

JUDGMENT

The writ petitioner is a defaulter. The respondents took coercive steps against him. He is, therefore, before this Court praying to quash the sale of his properties by the respondents.

2. The learned counsel appearing for the respondents submitted that the sale of the properties had been postponed.

3. The learned counsel for the writ petitioner however, submits that the petitioner is prepared to pay the amount due to the first respondent. However, it is submitted that the One Time Settlement facilities, available under Circular No.59/2006 dated 30.11.2006, may be directed to extend him.

4. In the above facts situation, I direct the writ petitioner to file a representation before the first respondent, requesting for an One Time Settlement within

two weeks from today. On receipt of the same, the first respondent shall hear the petitioner and fix the amount due, relying on the provisions contained in Circular No.59/2006 dated 30.11.2006. The petitioner shall pay the amount due to the first respondent, as per the order so passed and communicated to him.

5. There shall be no coercive steps against the writ petitioner, till the order is passed on the representation, extending the benefits and facilities of One Time Settlement scheme, as above.

The writ petition is disposed of as above.

J.M.JAMES
JUDGE

mrcs